

PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of

Erich KESSLER et al.

Group Art Unit: 1724

Application No.: 10/502,346

Examiner: S. Turner

Filed: September 15, 2004

Docket No.: 120198

For: POLYOLEFIN MEMBRANE WITH INTEGRALLY ASYMMETRICAL STRUCTURE
AND PROCESS FOR PRODUCING SUCH A MEMBRANE

RESPONSE TO RESTRICTION REQUIREMENT

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

In reply to the November 16, 2006 Restriction Requirement, Applicants provisionally elects Group I, claims 1-15, with traverse.

The Patent Office alleges that Groups I-IV do not relate to a single general inventive concept as they lack the same or corresponding special technical features. Applicants respectfully disagree. Specifically, each of claims 16-20, directly or indirectly depend from elected claim 1. As such, Applicants submit that each of claims 1-20 would necessarily include any and all special technical features recited in claim 1.

It is also respectfully submitted that the subject matter of all claims 1-20 is sufficiently related that a thorough search for the subject matter of any one Group of claims would encompass a search for the subject matter of the remaining claims. Thus, it is respectfully submitted that the search and examination of the entire application could be made without serious burden. See MPEP §803 in which it is stated that "if the search and examination of an

entire application can be made without serious burden, the examiner must examine it on the merits, even though it includes claims to independent or distinct inventions" (emphasis added). It is respectfully submitted that this policy should apply in the present application in order to avoid unnecessary delay and expense to Applicants and duplicative examination by the Patent Office.

Thus, withdrawal of the Restriction Requirement is respectfully requested.

Respectfully submitted,

Leana Levin

William P. Berridge
Registration No. 30,024

Leana Levin
Registration No. 51,939

WPB:LL/can

Date: December 14, 2006

OLIFF & BERRIDGE, PLC
P.O. Box 19928
Alexandria, Virginia 22320
Telephone: (703) 836-6400

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